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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,892	03/30/2001	David A. Brown	BROWN 4-1-11-1	8909

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EXAMINER

MYERS, PAUL R

ART UNIT PAPER NUMBER

2112

DATE MAILED: 04/05/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary

Application No.

09/821,892

Applicant(s)

BROWN ET AL.

Examiner

Paul R. Myers

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-21 is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5 and 8-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Arnold et al PN 6,160,213.

In regards to claims 1 and 8: Arnold et al teaches a multi-protocol (Intel and Motorola) bus system, comprising: a plurality of protocol indicators (address range) associated with an address space (address space), each of said plurality of protocol indicators associated with a segment of said address space (the Intel segment and the Motorola segment See column 12 lines 47-57) and configured to indicate a particular bus protocol (Intel or Motorola); and a bus protocol selection subsystem (the MIDI processor) configured to employ control lines to implement one of said particular bus protocols (See column 12 line 58 to column 13 line 42) in

Art Unit: 2112

accordance with a selected one of said protocol indicators (addresses) based upon the addressed segment of said address space (Column 13 lines 16 to 42).

In regards to claims 2 and 9: Arnold et al teaches using the Intel bus protocol. Since the Intel bus protocol includes a chip select signal. Arnold et al inherently teaches the chip select signal.

In regards to claims 3, 4, 10 and 11: Arnold et al teaches an Intel style bus architecture device.

In regards to claims 5, 12: Arnold et al teaches both the Intel and Motorola protocols and since all the claimed signals are either an Intel bus protocol signal or a Motorola bus protocol signal all the claimed signals are taught by Arnold et al.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold et al PN 6,160,213 in view of Szczepanek et al PN 5,715,419.

In regards to claims 6 and 13: Arnold teaches the address segments being in the megabyte sizes as opposed to the claimed 4 kilobyte sizes. Szczepanek et al teaches dividing an address space into 4 kilobyte address ranges. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the 4 kilobyte address segments of Szczepanek

Art Unit: 2112

et al in the system of Arnold because this would have allowed for much finer granularity of control.

5. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold et al PN 6,160,213 in view of Keene et al PN 5,835,960.

In regards to claims 7, 14: Arnold teaches the address segments being in the megabyte sizes as opposed to the claimed 4 kilobyte size. Arnold also does not teach a PCI bus. Keene et al teaches dividing a PCI address space into 32 kilobyte address ranges. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the 32 kilobyte address segments of Keene et al in the system of Arnold because this would have allowed for much finer granularity of control.

Allowable Subject Matter

6. Claims 15-21 are allowed.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul R. Myers whose telephone number is 703 305 9656. The examiner can normally be reached on Mon-Thur 6:30-4:00.

Art Unit: 2112

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703 305 4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



PRM
March 31, 2004

PAUL R. MYERS
PRIMARY EXAMINER